

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ACCESS SPECTRUM, LLC and
ACCESS 220, LLC,

Plaintiffs,

v.

EDWARD WHARTON, JANET GEISMAR,
CATHRYN SHIVER, BRIAN P. SHIVER,
DOUGLAS J. SHIVER, CHRISTOPHER R.
SHIVER, INDUSTRIAL COMMUNICATIONS
& ELECTRONICS, INC., AND
AERWAV HOLDINGS, INC.,

Defendants.

Case No. 08-cv-5755

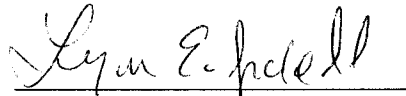
**NOTICE OF
MOTION TO ADMIT
COUNSEL PRO HAC VICE**

PLEASE TAKE NOTICE THAT, upon the Affidavit of Lynn E. Judell, sworn to on July 15, 2008, and the exhibits annexed thereto, Plaintiffs will hereby move, pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, for an order admitting Dylan G. Trache of Wiley Rein LLP, 7925 Jones Branch Drive, Suite

6200, McLean, Virginia 22102, to appear pro hac vice on behalf of Plaintiffs.

Dated: New York, New York
July 15, 2008

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lynn E. Judell", is written over a horizontal line.

Lynn E. Judell (1210)
ANDREWS KURTH LLP
450 Lexington Avenue
New York, NY 10017
(212) 850-2800

Attorneys for Plaintiffs Access Spectrum,
LLC and Access 220, LLC

To:

Christopher R. Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Douglas J. Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Brian P. Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Cathryn Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Janet Geismar
2009 Cedar View Drive
Greensboro, NC 27455

Edward Wharton
3582 West Treetops Court
Davie, FL 33328

Industrial Communications & Electronics, Inc.
40 Lone Street
Marshfield, MA 02050

Airway Holdings, Inc.
915 Broadway, 18th Floor
New York, New York 10010

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**AFFIDAVIT OF LYNN E.
JUDELL IN SUPPORT OF
MOTION TO ADMIT
DYLAN G. TRACHE
COUNSEL PRO HAC VICE**

STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)

Lynn E. Judell, an attorney duly admitted to practice before the United States District Court for the Southern District of New York, under penalty of perjury under the laws of the United States of America, deposes and states as follows:

1. I am a partner in the law firm of Andrews Kurth LLP in New York, New York, counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit Dylan G. Trache as counsel pro hac vice to represent the Plaintiffs in this matter.

2. I am a member in good standing of the bar of the state of New York, and was admitted to practice law in March 1989. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Dylan G. Trache since 2006.

4. Mr. Trache is an associate at Wiley Rein LLP located at 7925 Jones Branch Drive, Suite 6200, McLean, Virginia 22102, telephone number (703) 905-2800, fax number (703) 905-2820.

5. Upon information and belief, Mr. Trache has never been denied admission to the bar of any jurisdiction nor has he been the subject of disciplinary or contempt proceedings in any court.

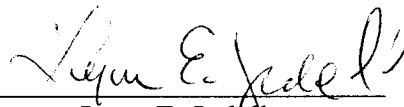
6. Mr. Trache is fully familiar with all of the facts and circumstances of this matter and is competent to represent the interests of the Plaintiffs herein.

7. Certificates of good standing from the bars of the Commonwealth of Virginia and the District of Columbia are attached hereto as Exhibit A.

8. Accordingly, I am pleased to move the admission of Dylan G. Trache, pro hac vice.

9. I respectfully submit a proposed order granting the admission of Dylan G. Trache, pro hac vice, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Dylan G. Trache, pro hac vice, to represent the Plaintiffs in the above captioned matter, be granted.


Lynn E. Judell

SWORN To before me this
15th day of July, 2008


Notary Public

ANJU UCHIMA
Notary Public, State of New York
No. 02UG000161
Qualified in New York County
Commission Expires April 27, 2010

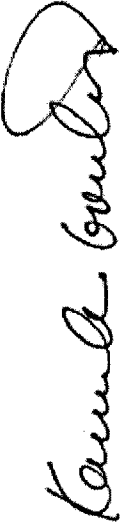


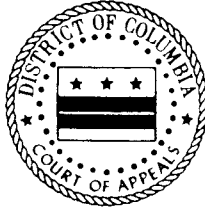
VIRGINIA STATE BAR

CERTIFICATE OF GOOD STANDING

*This is to certify that **DYLAN GILLESPIE TRACHE** is an active member of the Virginia State Bar in good standing. **MR. TRACHE** was licensed to practice law in Virginia on **OCTOBER 6, 2000**, after successfully passing the bar examination given by the Virginia Board of Bar Examiners.*

Issued June 30, 2008


Karen A. Gould
Executive Director and
Chief Operating Officer



District of Columbia Court of Appeals
Committee on Admissions
500 Indiana Avenue, N.W. — Room 4200
Washington, D. C. 20001
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

DYLAN G. TRACHE

was on the 11TH day of FEBRUARY, 2002
duly qualified and admitted as an attorney and counselor and
entitled to practice before this Court and is, on the date
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have
hereunto subscribed my name
and affixed the seal of this
Court at the City of
Washington, D.C., on July 1,
2008.

GARLAND PINKSTON, JR., CLERK

By: *M. Charles*
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Defendants.

Case No. 08-cv-5755

ORDER FOR ADMISSION
PRO HAC VICE

Upon the motion of Lynn E. Judell, attorney for Access Spectrum, LLC and Access 220, LLC, and the Affidavit of Lynn E. Judell in support of the motion;

IT IS HEREBY ORDERED that:

Dylan G. Trache
Wiley Rein LLP
7925 Jones Branch Drive, Suite 6200
McLean, Virginia 22102
(703) 905-2800
(703) 905-2820 facsimile
dtrache@wileyrein.com

is hereby admitted to practice pro hac vice as counsel for Access Spectrum, LLC and Access 220, LLC in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: _____

United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ACCESS SPECTRUM, LLC and)	
ACCESS 220, LLC,)	
)	
Plaintiffs,)	
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v.)	Case No. 08-cv-5755
)	
EDWARD WHARTON, JANET GEISMAR,)	AFFIDAVIT OF
CATHRYN SHIVER, BRIAN P. SHIVER,)	SERVICE
DOUGLAS J. SHIVER, CHRISTOPHER R.)	
SHIVER, INDUSTRIAL COMMUNICATIONS)	
& ELECTRONICS, INC., AND)	
AERWAV HOLDINGS, INC.,)	
)	
Defendants.)	

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Sarah Morris, being over the age of eighteen (18) years, and first duly sworn, state on oath that I am not a party to this action and that I reside in the County of New York, State of New York. On July 21, 2008, I served the Notice of Motion to admit counsel pro hac vice, Affidavit of Lynn E. Judell in support of motion to admit Valerie P. Morrison counsel pro hac vice, Affidavit of Lynn E. Judell in support of motion to admit Dylan G. Trache counsel pro hac vice and Proposed Order of for Admission upon the following:

Christopher R. Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Douglas J. Shiver
41 Constitution Way
Morristown, NJ 07960-5750

Brian P. Shiver
41 Constitution Way
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Cathryn Shiver
41 Constitution Way
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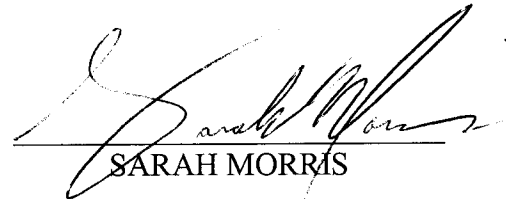
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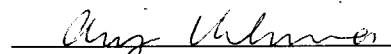
Airway Holdings, Inc.
915 Broadway, 18th Floor
New York, New York 10010

by mailing a copy of same and enclosing a copy of same in an envelope properly addressed,
postage prepaid, and depositing said envelope in a depository under the exclusive custody and
control of the U.S. Postal Office.



SARAH MORRIS

Sworn to before me this 21st day
of July, 2008



Notary Public

ANJU UCHIMA
Notary Public, State of New York
No. 02UC6006161
Qualified in New York County
Commission Expires April 27, 2010